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NOV 27 2009

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY _____ DEPUTY



08-CV-01199-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STACEY RAY STACH,

Plaintiff,

v.

BILL ELFO, et al.,

Defendants.

Case No. 08-cv-1199-JLR

ORDER OF DISMISSAL

The Court, having reviewed the Report and Recommendation of United States Magistrate Judge James P. Donohue, the governing law and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendants' motion for summary judgment, Dkt. No. 41, is GRANTED and this action is DISMISSED with prejudice. This dismissal shall count as a "strike" pursuant to 28 U.S.C. § 1915(g).

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ORDER OF DISMISSAL
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1 (3) The Clerk is directed to send copies of this Order to the parties and to Judge
2 Donohue.

3 DATED this 27th day of November, 2009.

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6 JAMES L. ROBART
United States District Judge